HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 748(S/S) 2003

Jeet Singh S/o Sri Mahabir Singh,
Posted as Investigation Cum- Computer,
At Primary Health Centre, Chamba,
Tehri Garhwal. ……...Petitioner.

Vs.

State of Uttaranchal through,
Secretary, Ministry of Medical & Health Services,
Secretariat, Uttaranchal, Dehradun,
And two others. ……..Respondents.

Sri C.D. Bahuguna, learned Counsel for the petitioner.
Learned Standing Counsel for the respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri C.D. Bahuguna, learned counsel for the petitioner and learned Standing Counsel for the State.

By means of this writ petition, the petitioner has prayed for a writ, order or direction in the nature of mandamus commanding the respondent nos. 1 & 2 to relieve the petitioner for State of U.P. on the basis of option exercised by him for serving in the State of U.P.

The petitioner has submitted that he was selected through Public Service Commission, U.P. in the year 1996 and was appointed as Investigator Cum-computer by the Director Medical Health and Family Welfare, State of Uttaranchal. Since then he is working in the State of Uttaranchal. Before the creation of State of Uttaranchal, he has opted for the State of U.P. According to the petitioner, vide order dated 09.11.2001 passed by Central Government, the petitioner has been finally allocated to the State of U.P.

Counsel for the petitioner has alleged that the State of Uttaranchal is relieving the persons who have opted for the State of U.P. on the basis of pick and chose and no procedure/criteria is being adopted by the State of Uttaranchal for relieving the employees to the State of U.P.

This Court, in the present writ petition, on 01.08.2003 has passed the order to the effect that in the meantime the respondents shall consider the grievance of the petitioner and shall pass appropriate

orders for relieving the petitioner for State of U.P. In spite of this order, no action has been taken by the State of Uttaranchal.

In case, if the petitioner is finally allocated to the State of U.P., as submitted by him, the State of Uttaranchal shall take necessary action expeditiously as far as possible for relieving the petitioner to the State of U.P.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

July 9, 2004:
NCM: